

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 29, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

GORDON DEAN RHOAN,

Defendant.

No. 1:24-CR-02008-MKD

PROTECTIVE ORDER
REGARDING IDENTIFICATION OF
MINOR VICTIM OR WITNESS
PURSUANT TO 18 U.S.C. § 3509

ECF No. 21

Before the Court is the parties' Stipulation for Protective Order Regarding Identification of Minor Victim or Witness Pursuant to 18 U.S.C. § 3509. ECF No. 21. Given the nature of the allegations in this case, the parties stipulate to impose privacy protection measures pursuant to 18 U.S.C. § 3509. The Court has reviewed the record and the motion and finds good cause to grant the motion.

Accordingly, **IT IS HEREBY ORDERED:**

1. The United States' Motion for a Protective Order re Minors' Identifying Information, **ECF No. 21**, is **GRANTED**.

1 **IT IS FURTHER ORDERED** that the privacy protection measures
2 mandated by 18 U.S.C. § 3509(d), which apply when a case involves a person
3 under the age of eighteen years who is alleged to be a victim of a crime of sexual
4 exploitation, or a witness to a crime committed against another person, apply to
5 this case.

6 **IT IS FURTHER ORDERED** that all persons acting in this case in a
7 capacity described in 18 U.S.C. § 3509(d)(1)(B), shall:

8 (a) Keep all documents that disclose the names, identities, or any other
9 information concerning minors in a secure place to which no person who
10 does not have reason to know their contents has access;

11 (b) Disclose such documents or the information in them that concerns
12 minors only to persons who, by reason of their participation in the
13 proceeding, have reason to know such information;

14 (c) Not permit Defendant himself to review discovery outside the
15 presence of defense counsel or a defense investigator;

16 (d) Not permit Defendant to keep discovery in his own possession
17 outside the presence of defense counsel or a defense investigator; and

18 (e) Not permit Defendant to keep, copy, or record the identities of any
19 minor or victim identified in discovery in this case.
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1 **IT IS FURTHER ORDERED** that all papers to be filed in Court that
2 disclose the names or any other information identifying or concerning minors shall
3 be filed under seal without necessity of obtaining a Court order, and that the person
4 who makes the filing shall submit to the Clerk of the Court—

5 (A) the complete paper to be kept under seal; and

6 (B) the paper with the portions of it that disclose the name of or
7 other information concerning a child redacted, to be placed in the
8 public record.

9 **IT IS FURTHER ORDERED** that the parties and the witnesses shall not
10 disclose minors’ identities during any proceedings connected with this case. The
11 parties and witnesses will refer to alleged minor victims or witnesses only by using
12 agreed-upon initials or pseudonyms (e.g., “Minor Victim 1”), rather than their bona
13 fide names, in motions practice, opening statements, during the presentation of
14 evidence, in closing arguments, and during sentencing.

15 **IT IS FURTHER ORDERED** that the government may produce discovery
16 to the defense that discloses the identity and images of the alleged minor victim or
17 witness in this case, in order to comply with the government’s discovery
18 obligations. Defendant, the defense team, Defendant’s attorneys and investigators,
19 and all of their externs, employees, and/or staff members, shall keep this
20 information confidential as set forth above.

1 **IT IS FURTHER ORDERED** that this ORDER shall apply to any
2 attorneys who subsequently become counsel of record, without the need to renew
3 or alter the ORDER.

4 **IT IS FURTHER ORDERED** that this ORDER shall apply to the personal
5 identifying information and images of any minors who are identified over the
6 course of the case, whether or not such minors are known to the government and/or
7 Defendant at the time the ORDER is entered by the Court.

8 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
9 and provide copies to all counsel.

10 **DATED** March 29, 2024.

11 s/Mary K. Dimke
12 MARY K. DIMKE
13 UNITED STATES DISTRICT JUDGE
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